



CANNON BUILDING
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DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	Board of Cosmetology and Barbering
MEETING DATE AND TIME:	Monday, January 31, 2011 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES APPROVED:	February 28, 2011

MEMBERS PRESENT

Kathryn Lord, Secretary, Professional Member
Cecilia Jones, Public Member
Linda Wilson, Professional Member
Melinda Schaeffer, Professional Member
Arlene Scanlon, Professional Member
Leila Lord, Professional Member
Carol Guilbert, Public Member

MEMBERS ABSENT

Tien Le, Professional Member
Derrick Reed, Professional Member
Deborah Boulden, Professional Member
Donna Bayard, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Heeney, Deputy Attorney General
Stacey Stewart, Deputy Attorney General
Jennifer Witte, Administrative Specialist II
Lucinda Reeder, Court Reporter

OTHERS PRESENT

Marc Goldyn
Teresa Whitemar-Watson

Deborah Frazier
Tuan Nguyen

CALL TO ORDER

Ms. Lord called the meeting to order at 9:51 a.m.

REVIEW OF MINUTES

A motion was made by Ms. Jones, seconded by Ms. Lord, to approve the November 29, 2010 minutes as amended. The motion was unanimously carried.

UNFINISHED BUSINESS

Disciplinary Hearing for Jeanette Coston

Due to a lack of quorum, the disciplinary hearing for Jeanette Coston will be re-scheduled for February 28, 2011.

Proposal to Deny Hearing Continuance for Tuan Nguyen

The hearing began at 10:28 a.m.

Ms. Heeney re-opened the November 29, 2010 Proposal to Deny hearing of Tuan Nguyen. Previously, the Board had agreed that Mr. Nguyen qualified for licensure based on the information presented however; additional information has been presented to the Board for consideration.

Ms. Heeney entered as Board Exhibits 1,2, 3 and 4, a packet of documents including a reciprocity application, the Consent Agreement and Order from the Commonwealth of Pennsylvania and December 1, 2010 letter from the Board.

The Board members were introduced.

Mr. Nguyen was sworn in and agreed to continue without legal council.

Ms. Heeney advised that at the end of the November 28, 2010 meeting and further review of the statutory provisions, she requested that the hearing be reopened. She verified that Mr. Nguyen reviewed the letter sent to him on December 1, 2010 and advised that at this time he needed to address the Board and explain why he thinks he meets the requirements for licensure.

Mr. Nguyen stated that he has been trying to obtain a license in Delaware for the last three years and recently moved to Middletown where he owns a salon. Since he was licensed in Pennsylvania, he helped three family members by taking the theory part of their Pennsylvania exam and while he had good intentions, he knew he was wrong; his license was revoked. He stated that he tried to move to Delaware but because he was not able to get a licensed, he moved to Virginia, obtain a license and worked there for one

year. He feels everyone deserves a second chance and asked the Board to grant him licensure.

Mr. Nguyen answered questions by the Board.

The Board went off record and into deliberations.

The Board went back on record at 10:51 a.m.

Mr. Nguyen was called back to the stand and answered additional questions of the Board.

The Board went off record and back into deliberations.

The Board went on record at 11:09 a.m.

A motion was made by Ms. Lord, seconded by Ms. Schaeffer to deny the application for licensure based on the Pennsylvania disciplinary history. The motion was carried by Ms. Lord, Ms. Schaeffer, Ms. Jones, Ms. Wilson, and Ms. Lord. Ms. Scanlon and Ms. Guilbert were opposed the motion carried.

The hearing adjourned at 11:11 a.m.

Verbatim testimony was taken by the court reporter.

OLD BUSINESS

Re-Review of Applications

A motion was made by Ms. Lord, seconded by Ms. Lord, to approve the application of Therese Phuong Anh Nguyen. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the applications of Nelly's Beauty Paradise and Cindy Huynh. The motion was unanimously carried.

Elections

A motion was made by Ms. Jones, seconded by Ms. Lord, to elect Kathryn Lord as Board President. The motion was unanimously carried.

A motion was made by Ms. Lord, seconded by Ms. Lord, to elect Ms. Jones as Board Vice-President. The motion was unanimously carried.

A motion was made by Ms. Lord, seconded by Ms. Schaeffer, to elect Carol Guilbert as Board Secretary. The motion was unanimously carried.

NEW BUSINESS

Review of Applications

A motion was made by Ms. Jones, seconded by Ms. Lord, to approve the applications of Patricia Wright, Susan Thompson, Christie Bravo, Nga Le, Phuong Thi Chau, Claudia Cupitt, Chi Thi Ngoc Tran, and Michelle Jones. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Schaeffer, to approve the application of Lizbeth Rouleau contingent upon receipt of a letter from applicant stating that she will not be performing barbering duties. The motion was unanimously carried.

Review of Salon/School Applications

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the shop applications of The Hair Experience, Town Casual Cuts, Inc., Genesis Hair Care, D'Elegance Hair Design, Inc., and Hands of Joy Beauty Salon. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to table the school application of Hair Academy for a copy of the Division of Revenue license, list of instructors and curriculum. The motion was unanimously carried.

During the public comments, Marc Goldyn from the Hair Academy asked the Board which specific documents were needed for the Hair Academy application to be approved. He will fax the information tomorrow.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the school application of Hair Academy contingent upon receipt of documents. The motion was unanimously carried.

Ratification of Applications

A motion was made by Ms. Lord, seconded by Ms. Jones, to ratified the applications of Mai Nguyen, Jessica Vuu, Kiet Pham, Vy Dang, and Jennifer Rose. The motion was unanimously carried.

Proposal to Deny Applications

A motion was made by Ms. Jones, seconded by Ms. Lord, to deny the application of Piez Nguyen due to the previous disciplinary action issued by this Board. The motion was unanimously carried.

Applications for Review by Eileen Heeney

Ms. Heeney asked that the Board amend the agenda and add the application of Liana Jones for discussion.

Ms. Jones allowed her Aesthetician license to lapse and is applying to reinstatement by taking the exam; however the practical exam will not be available until June 2011.

A motion was made by Ms. Lord, seconded by Ms. Wilson, to approve her for a temporary license until the exam is available. The motion was unanimously carried.

Review of Consent Orders

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the Consent Agreements, as written, of Mohamed Sherif Zaki and Jin Lian Liang. The motion was unanimously carried.

Ms. Lord signed the Letters of Reprimand for Binh Ho, Phyllis Henry and Nikko Lee.

Decision and Orders were signed for the hearings of Linda Keefer, Rosa Van, and Carol Gadsden.

Schedule Hearings

The disciplinary hearing for Rachel Thomas will be scheduled for February 28, 2011.

The disciplinary hearing for James White will be scheduled for April 25, 2011.

The Proposal to Deny hearing for Susan Drummond will be scheduled for March 28, 2011.

Complaint Status

08-10-07-Closed
08-12-07-Closed
08-17-07-Closed
08-01-08-Office of the Attorney General
08-03-08-Office of the Attorney General
08-04-08-Office of the Attorney General
08-13-08-Office of the Attorney General
08-15-08-Office of the Attorney General
08-16-08-Office of the Attorney General
08-22-08-Office of the Attorney General
08-23-08-Office of the Attorney General
08-24-08-Office of the Attorney General
08-26-08-Closed
08-27-08-Closed
08-28-08-Office of the Attorney General
08-29-08-Closed
08-30-08-Closed
08-39-08-Assigned
08-46-08-Assigned
08-48-08-Office of the Attorney General

08-52-08-Closed
08-53-08-Office of the Attorney General
08-54-08-Assigned
08-57-08-Office of the Attorney General
08-58-08-Office of the Attorney General
08-59-08-Office of the Attorney General
08-03-09-Office of the Attorney General
08-04-09-Office of the Attorney General
08-05-09-Closed
08-06-09-Closed
08-07-09-Closed
08-08-09-Assigned
08-09-09-Office of the Attorney General
08-11-09-Closed
08-12-09-Assigned
08-13-09-Assigned
08-14-09-Closed
08-15-09-Closed
08-16-09-Closed
08-17-09-Closed
08-18-09-Closed
08-19-09-Office of the Attorney General
08-20-09-Office of the Attorney General
08-21-09-Office of the Attorney General
08-22-09-Office of the Attorney General
08-24-09-Closed
08-25-09-Assigned
08-26-09-Office of the Attorney General
08-28-09-Assigned
08-29-09-Office of the Attorney General
08-30-09-Assigned
08-37-09-Closed
08-39-08-Office of the Attorney General
08-40-09-Office of the Attorney General
08-41-09-Office of the Attorney General
08-42-09-Office of the Attorney General
08-43-09-Closed
08-44-09-Assigned
08-45-09-Assigned
08-46-09-Office of the Attorney General
08-47-09-Office of the Attorney General
08-48-09-Office of the Attorney General
08-49-09-Assigned
08-50-09-Closed
08-51-09-Closed
08-52-09-Office of the Attorney General
08-53-09-Office of the Attorney General
08-54-09-Office of the Attorney General

08-01-10-Office of the Attorney General
08-02-10-Closed
08-04-10-Assigned
08-05-10-Closed
08-06-10-Assigned
08-07-10-Assigned
08-08-10-Office of the Attorney General
08-09-10-Office of the Attorney General
08-10-10-Assigned
08-11-10-Assigned
08-12-10-Assigned
08-13-10-Assigned
08-15-10-Closed
08-16-10-Assigned
08-17-10-Office of the Attorney General
08-18-10-Assigned
08-19-10-Assigned
08-20-10-Office of the Attorney General
08-21-10-Assigned
08-22-10-Office of the Attorney General
08-23-10-Office of the Attorney General
08-24-10-Office of the Attorney General

Review of Reinstatement Applications

A motion was made by Ms. Lord, seconded by Ms. Schaeffer, to approve the reinstatement application of Christine Lewis contingent upon receipt of an updated Letter of Good Standing for her West Virginia license. The motion was unanimously carried.

Re-Review of Proposed Statute Changes

An error was made on the agenda and this topic will be a re-review of the proposed rules and regulations changes to be discussed at the meeting in February.

Review of ADA Request

A motion was made by Ms. Jones, seconded by Ms. Schaeffer, to approve the request of Lisa Robertson for ADA accommodations. The motion was unanimously carried.

Request for Additional Documentation

A second notice will be sent to Teresa Masarone requesting a criminal background check with fingerprints be sent to the Board.

OTHER BUSINESS BEFORE THE BOARD

Ms. Witte welcomed Carol Guilbert as the Board's new public member.

PUBLIC COMMENT

Teresa Whitemar-Watson stated that the Rules and Regulations require that in order to become a barber instructor, a Barber has to provide proof of 15 years of experience and asked what type of proof was required. Ms. Heeney advised her that she would need to submit an application and supporting documentation and would not have to take an exam.

Ms. Whitemar-Watson also asked when the 35 hour shaving course for instructors will be available. Ms. Wilson advised that she is working with the Department of Education regarding this class and that it will be available soon.

NEXT SCHEDULED MEETING

The next Board meeting will be February 28, 2011 at 9:00 a.m. in Conference Room A.

ADJOURNMENT

A motion was made by Ms. Lord, seconded by Ms. Guilbert, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:43 a.m.

Respectfully submitted,

Jennifer Witte
Administrative Specialist, II